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PATENT  
Attorney Docket No. SALK1470-2  
(088802-1852)

1647  
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Printed Name

Stephen E. Reiter  
Stephen E. Reiter, Reg. No. 31.192

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Evans et al.

Serial No.: 09/155,252

Filing Date: 09/21/1998

For: SELECTIVE MODULATORS OF  
PEROXISOME PROLIFERATOR  
ACTIVATED RECEPTOR-GAMMA, AND  
METHODS FOR THE USE THEREOF

Examiner: B. Brunner

Group Art Unit: 1647

TRANSMITTAL

Box Sequence  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

- [X] Response to Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.
- [X] Copy of Notice to Comply
- [X] Computer Disk Containing Sequence Listing
- [X] Sequence Listing Paper Copy
- [X] Return postcard

In re Application of  
Evans et al.  
Application No. 09/155,252  
Page 2

PATENT  
Attorney Docket No. SALK1470-2  
(088802/1852)

No fee is deemed necessary in connection with this Amendment. However, if any fee is required, the Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to Deposit Account No. 50-0872. A duplicate copy of this Transmittal sheet is enclosed.

Respectfully submitted,

Date

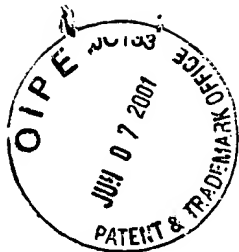
6/4/01

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Telephone: (619) 685-6445  
Facsimile: (619) 234-3510

By



Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192



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TECH CENTER 1600/2900

Atty. Dkt. No. SALK1470-2  
(088802/1852)

#15/D  
6-12-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Evans, et al.

Title: SELECTIVE MODULATORS OF  
PEROXISOME PROLIFERATOR  
ACTIVATED RECEPTOR-  
GAMMA, AND METHODS FOR  
THE USE THEREOF.

Appl. No.: 09/155,252

Filing Date: 09/21/1998

Examiner: B. Bunner

Art Unit: 1647

<p>CERTIFICATION UNDER 37 CFR § 1.8</p> <p>I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on the date below, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231</p> <p>Stephen E. Reiter, Reg. No.: 31,192 (Name of person mailing paper)</p> <p><i>[Signature]</i> <i>E.L.</i> Date 6/4/01</p>
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RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES

Commissioner for Patents  
Box Sequence Listing  
Washington, D.C. 20231

Sir:

In response to items # 1-3 of the Office Action of May 3, 2001, a paper copy and CRF of the replacement sequence listing is enclosed.

In response to item # 7 of the same Office Action requesting "sequence identifiers for the sequence of the half-site in claim 17, and sequences at pages 13 and 22 of the specification" current PTO rules regarding Nucleotide and/or amino acid sequences (as used in §§1.821 through 1.825) apply to unbranched sequences of four or more amino acids or unbranched sequences of ten or more nucleotides. The sequences in question are all unbranched sequences of less than ten nucleotides, and therefore need no further identification or amendment.

In re application of  
Evans et al.  
Application No. 09/155,252  
Page 2

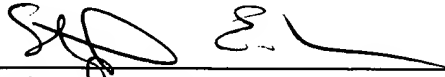
Atty. Dkt. No. SALK1470-2  
(088802/1852)

1. the content of the attached paper copy and the enclosed computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
2. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter.

Respectfully submitted,

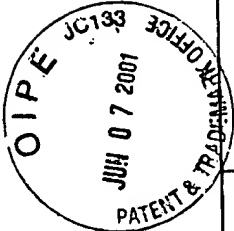
Date: \_\_\_\_\_

6/4/01

  
\_\_\_\_\_  
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Facsimile: 619-234-3510

FOLEY & LARDNER  
402 W. Broadway, 23<sup>rd</sup> Floor  
San Diego, California 92101

Enclosure



## Notice to Comply

Application N .

09/155,252

Examiner

Bridget E. Bunner

Applicant(s)

EVANs et al.

Art Unit

1647

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: The sequence of the half-site in claim 17 is not identified by a sequence identifier. Also, the sequences at pages 13 and 22 of the specification are not identified by sequence identifiers.

#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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